

The question now arises on the adoption of Amendment No. 16-A to Committee Recommendation LB-1, LB-2, and LB-3 as amended by Report S&D-16.

The Chair recognizes Delegate Carson.

DELEGATE CARSON: Mr. Chairman, I know it is growing late but this is quite an important issue. Would a motion to reconsider be in order at this time?

THE PRESIDENT: It would.

DELEGATE CARSON: I move that we reconsider the vote by which the motion, Amendment No. 16-A, was adopted.

THE PRESIDENT: Is there a second?

*(Whereupon, the motion was duly seconded.)*

THE PRESIDENT: It has been regularly moved and seconded that the vote by which Amendment No. 16-A was adopted as a substitute for Amendment No. 16 be reconsidered.

The Chair recognizes Delegate Carson.

DELEGATE CARSON: Mr. Chairman, and ladies and gentlemen, let me attempt to be clearer than before. I think that the questioning of Delegate Clagett by Delegate Case and by Chairman Eney showed that his amendment did this and did this only: he admits that under his amendment the General Assembly may pass a law and specify twenty-two counties to which that law may be applicable. It may specify twenty-three counties to which it may be applicable and he says that that is valid and a good law.

On the other hand, he says that if the form that legislation takes, that the General Assembly frames the law in, says that this is a general law to be applicable to all counties except Montgomery and Prince George's, then it is a bad law because it has had an amendment in it. His amendment does nothing to encourage the full approach. It sets the form in which the legislation must go.

I think it is pernicious to set the form in this manner when we intend to permit the General Assembly in regard to these laws to act as it will. I think to adopt this amendment would be harmful. I urge you to reconsider your vote and reject on consideration Amendment No. 16-A.

THE PRESIDENT: Delegate Fox.

DELEGATE FOX: Mr. President, I think the clearest explanation of what these two amendments attempt to do was

given by Delegate Mentzer. She obviously understands it very clearly, and it does not take very many words to say it. If you adopt the Carson amendment, you are going to continue to allow the situation where a county can exempt itself from a law in the eight categories as passed by the General Assembly and that is what I think we do not want to do. If you adopt the Clagett Amendment, 16A, then you are going to keep the counties from being able to exempt themselves from the general laws passed by the General Assembly in these eight categories and I urge that you support Amendment No. 16-A.

THE PRESIDENT: Delegate Marion.

DELEGATE MARION: Mr. President, I have a question. I do not know to whom to direct it, whether to you or to somebody else who has some time.

THE PRESIDENT: Any delegate desiring to debate has the floor in preference to you. I will have to yield the floor to other delegates. I will give you an opportunity to ask your question later.

Delegate Marion, to whom do you direct your question?

DELEGATE MARION: May I direct it to Chairman Moser, please, sir?

THE PRESIDENT: Delegate Moser, will you take the floor to yield to a question?

DELEGATE MOSER: I will yield.

THE PRESIDENT: Delegate Marion.

DELEGATE MARION: I believe I understand what the difference in these two amendments is with respect at least to the first seven exceptions, but the eighth exception listed is the one which enables a county or counties to act notwithstanding the fact that the General Assembly has acted contrary.

I understand or have understood, I think, all along that that power was not to be exercised by public local law. And yet, when I understood what Delegate Clagett said and what Delegate Hanson said, public local law would be the only way that that exception, the eighth exception, could be implemented if this amendment were adopted, the one which was just adopted by a sixty-one to sixty vote. Is that your understanding of this amendment, and if I am in error, tell me because I understood that was by exception from the general public law that that exemption was to be made applicable?